

JUL 20 2007

Serial No. 10/766,603
Art Unit 2836REMARKS

Claims 1-17 were presented for examination in the present application. The instant amendment cancels claims 1-10 and 17 without prejudice. Thus, claims 11-16 remain pending upon entry of the instant amendment, which is respectfully requested. Claim 11 is independent.

Independent claim 1, as well as claims 2-4 and 7-10 that depend therefrom, were rejected under 35 U.S.C. §103 over Japanese Publication No. 06189469 to Kojima (Kojima) in view of U.S. Patent No. 6,037,752 to Glennon et al. (Glennon). Dependent claims 5-6 were rejected under 35 U.S.C. §103 over Kojima and Glennon in further view of U.S. Patent No. 5,353,665 to Heebner et al. (Heebner).

Claims 1-10 have been cancelled rendering these rejections moot. Reconsideration and withdrawal of these rejections are respectfully requested.

Independent claim 11, as well as claims 12-13 and 16 that depend therefrom, were rejected under 35 U.S.C. §102 over Kojima. Dependent claims 14-15 were rejected under 35 U.S.C. §103 over Kojima and Heebner.

Independent claim 11 now recites, in part, "a single battery coupled to a first input of said first power converter using first diodes and a second input of said second power converter using second diodes" and "a controlled commutating current path coupled to an output of said first contactor and said second contactor and to a load for providing an uninterrupted load current from said single battery to said load during a transfer between said first and said second power converters" (emphasis added).

Kojima discloses three unit UPS's 9A, 9B, and 9C, where each unit has its own direct flow energy storage device (i.e., batteries) 5A, 5B, and 5C. As such, Kojima requires three batteries, and not the "single battery" that is coupled to a first power converter and a second power converter, where the single battery provides "an

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uninterrupted load current" during a transfer between "said first and said second power converters" as recited by amended claim 11.

Heebner is merely asserted by the Office Action as disclosing the contactor of dependent claims 14-15.

Accordingly, Applicants submit that amended claim 11, as well as claims 12-16 that depend therefrom, are not disclosed or suggested by the cited art. Claims 11-16 are therefore in condition for allowance. Reconsideration and withdrawal of the rejections to claims 11-16 are respectfully requested.

In addition, Applicants submit that amended dependent claim 16 is not disclosed or suggested by the cited art. Dependent claim 16 now recites, in part, that the first power converter has "a first capacitor" and the second power converter has "a second capacitor", where the single battery is "coupled to an input of said first power converter and said second power converter using diodes, said diodes providing voltage across said first and second capacitors from said single battery".

Applicants respectfully submit that the cited art fails to disclose or suggest the claimed capacitors. Accordingly, Applicants submit that amended claim 16 is in condition for allowance. Reconsideration and withdrawal of the rejection to claim 16 are respectfully requested.

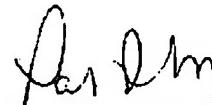
In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

In the alternative, Applicants submit that the instant amendment places the present application in better condition for appeal by canceling claims 1-10 and 17. Accordingly, entry and consideration of the instant amendment, at least for the purposes of appeal, are respectfully requested.

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If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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